

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PATRICIA A. ANDWAN,
Plaintiff,

Case No. 1:13-cv-624

Beckwith, J.
Bowman, M.J.

v.

VILLAGE OF GREENHILLS, et al.,

Defendants.

REPORT AND RECOMMENDATION

On September 9, 2013, Plaintiff Patricia Andwan, through experienced counsel, paid the requisite filing fee and filed this civil rights suit. Counsel subsequently withdrew, and Plaintiff continued to prosecute her claims *pro se*. Because Plaintiff was proceeding *pro se*, the case was referred to the undersigned magistrate judge for all pretrial proceedings, including for a Report and Recommendation (“R&R”) on any dispositive motions.

Plaintiff filed an amended complaint on October 27, 2014. (Docs. 68, 70, 93). Multiple Defendants filed motions to dismiss claims against them. (Docs. 78, 79, 80, 81). Prior to the expiration of Plaintiff’s time to respond, new counsel entered his appearance on behalf of Plaintiff and simultaneously moved to stay all proceedings pending the Court’s ruling on a newly proposed second amended complaint. (Doc. 99). On January 13, 2015, the presiding district judge granted Plaintiff’s motion to stay, and referred all motions, including the proposed second amended complaint, to the undersigned magistrate judge.

The Court having confirmed the agreement of all counsel to the filing of the proposed second amended complaint, and having entered new pretrial deadlines based on the filing of the second amended complaint this same day, **IT IS RECOMMENDED THAT** all pending motions to dismiss the prior amended complaint (Docs. 78, 79, 80, 81) be **DENIED AS MOOT**. The newly proposed amendment greatly reduces both the number of claims and the number of defendants. All Defendants who previously filed motions to dismiss (Docs. 78, 79, 80, 81) have been dismissed from the second amended complaint, which asserts claims only against the Village of Greenhills, Officer Andrew D. Moore, and Gregory Lester.

s/ Stephanie K. Bowman
Stephanie K. Bowman
United States Magistrate Judge

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NOTICE

Pursuant to Fed. R. Civ. P 72(b), any party may serve and file specific, written objections to this Report and Recommendation ("R&R") within **FOURTEEN (14) DAYS** of the filing date of this R&R. That period may be extended further by the Court on timely motion by either side for an extension of time. All objections shall specify the portion(s) of the R&R objected to, and shall be accompanied by a memorandum of law in support of the objections. A party shall respond to an opponent's objections within **FOURTEEN (14) DAYS** after being served with a copy of those objections. Failure to make objections in accordance with this procedure may forfeit rights on appeal. See *Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981).